

USAID INSIGHT

CIVIL SOCIETY TAKING ROOT IN UKRAINE

There are numerous signs that an important societal shift is underway in Ukraine. Citizens are increasingly asking critical questions and taking action on issues they care about. They are successfully effecting important change, and personally experiencing a different level of involvement in society. The Orange Revolution proved without a doubt that Ukrainian citizens and many civil society organizations (CSOs) that represent their interests are becoming increasingly active participants in defining the future of the country. In fact, the majority of Ukrainians now believe the most effective way to achieve common goals is by becoming involved in a CSO or acting together informally with interested peers.

Civil society is commonly defined as the realm between family and state, where citizens work with each other, the private sector and government to achieve common goals. In Ukraine, the development of a strong civil society requires a fundamental shift from a passive citizenry under an authoritarian regime to a democracy where citizens actively participate in governance. This transformation means changing the way citizens perceive their role in society while building a sense of collective and individual responsibility.

CSOs are not simply vehicles for effective short-term political activism, but often play a larger, ongoing role in solving everyday problems, ensuring that government is accountable and responsive to its people,



and in addressing citizens' priorities in areas such as education, healthcare, and the environment. In recent years, for example, Ukrainian CSOs have effectively advocated for important legal reforms, enjoyed marked success in helping to broaden political participation on the part of previously marginalized groups such as women, rural residents, minorities, and the disabled. Increasingly they serve as a means by which to bring people together in cooperative ventures, and teach civic values such as compromise, cooperation and trust.

By encouraging the development of an active citizenry and building the capacity of the growing number of CSOs that represent its interests, USAID has long played a lead-

ing role in helping Ukrainians ensure that their voices are heard, that they have a role in addressing their priorities, and that they are active participants in defining the future of the country. Over the past three years, USAID's *Ukraine Citizen Action Network* project (UCAN) has worked with hundreds of organizations throughout the country to strengthen advocacy skills and improve their ability to influence policy at both the local and the national level. The project has succeeded in improving the quality and relevance of the services CSOs provide to their communities and to their constituents, raised ethical standards, and encouraged the widespread adoption of effective communications, financial management, fundraising, and project implementation techniques.

Increasingly, Ukrainian CSOs are effectively lobbying for changes in laws and policies at the local, regional, and national levels. In the past year, they have worked to secure equal access to national parks for the disabled, fought government corruption in the illegal development of public land, and introduced CSO-led arbitration and restorative justice programs in the courts. They have also successfully promoted laws to ensure a sustainable environment for the development of a civil society in Ukraine. Important improvements to the tax environment have included the restoration of deductible donations to CSOs, with corporations now able to donate between 2%-5% of profits, while efforts to improve legal capacity have focused on the development of an

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WHEN IN BOSTON DO AS BOSTONIANS DO



Children enjoy the playground that replaced the garbage dump near the Boston cooperative. (Photo Konstantin Pertsovsky)

Marfa Trykashyna, a single retired woman, has always relied only on herself. Her life has not been easy. Until she was 64-years-old, she lived in a dormitory. When an opportunity arose to purchase a separate apartment, she didn't hesitate for a moment. She became a member of a housing cooperative that was in the process of constructing an apartment building for its members. When the construction was completed, she was thrilled to have her own place at last. Her happiness soon turned to dismay when inspectors from Ukraine's State Tax Administration attempted strip her of UAH 3,000 in dubious taxes and fines for the "virtual" value of her apartment.

Unable to thoroughly understand the predicament in which she found herself,

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Marfa decided to look for professional assistance, and approached the Boston Cooperative Consulting Center. Implemented under the auspices of the Ukraine Citizen Action Network (UCAN), with support from USAID, the consulting center provided Marfa legal advice free of charge. With the center's assistance, Marfa and 72 other families from the same building, who altogether were fined UHA 240,000, won the case against the State Tax Administration in the local court.

Several Chernihiv city residents of the high-rise building established Boston Cooperative after they became tired of the inefficiency, poor quality and highly unsubstantiated prices of communal housing services provided by the State Communal Service (SCS), a government-run monopoly. They decided to compete with the state monopoly and formed a cooperative association. Their aim was simple – to get control over the quality and price of communal services, and to effectively allocate funds for servicing buildings, including maintenance of landscaping, playgrounds, courtyards, fences, and waste removal.

Boston Cooperative Consulting Center was formed through USAID support, with the objective of providing *pro bono* legal services, as well as managerial and expert advice to other cooperative residents in Chernihiv. Within a year, 23 new cooperative associations had been formed, and all had relied on the consulting center for support of some sort. This raised by more than half the number of cooperative associations in Chernihiv, from 40 to 63. Today, many Chernihiv residents rely on the center's legal con-

sultants for expert advice on housing issues.

As for the Boston Cooperative, residents finally feel they are the true masters of their domain. They have become a close-knit community, and have taken full responsibility for their housing and the surrounding territory. Boston Cooperative Manager Borys Romanenko has gone so far as to organize community-to-community soccer matches and voluntary clean-up days. He doesn't hesitate to dress as a Father Frost on New Year's Eve for the local kids. Today a children's playground stands where once there was a garbage dump. Twenty-eight trees have been planted in honor of the 28 infants who have been born in the building.

"Now, SCSs increasingly compete to provide communal-housing services to cooperatives."

After the mass media took note of the Chernihiv cooperative's success in competing with the government-run SCS, residents and cooperative associations from Rivne and Kharkiv started contacting Boston's Consulting Center to take advantage of its experience and know-how. According to Vyacheslav Salnykov, the deputy head of the Chernihiv Regional Administration, tough competition from the local cooperatives has forced the SCS to pay closer attention to the needs of residents. "Now, SCSs increasingly compete to provide communal-housing services to cooperatives," explained Mr. Salnykov.

As for Marfa, in appreciation for her activism, which saved her neighbors 240,000 hryvnia, the Boston Cooperative offered her a job maintaining the building and the grounds. This not only provides her additional income but keeps her active in her community too.

Although there are thousands of non-profit, non-governmental organizations in Ukraine, many of these NGOs are poorly managed and financially unsustainable due to a lack of practical training and education. A one-year intensive certificate program in non-profit management at the Institute for Non-Profit Management (INPM) at the Ukrainian Catholic University in Lviv hopes to turn that around. The training curriculum is largely based on international experience and best practices, and most faculty members are teachers from the United States, Canada, and Western Europe.

Initially, the pilot certificate program was offered only in English, severely limiting the number of managers who took part. Now the Eurasia Foundation and the Institute have introduced a Ukrainian-language version of the certificate program, and are working to augment its existing resource center with new Ukrainian-language materials.

The new program also includes a vital practical component, linking theory to practice. Students visit NGOs in the region to study their management practices and establish new partnerships. This year INPM students also visited the American NGO, Goodwill Greater Washington. After the spring semester, students will have the opportunity to work at NGOs in Ukraine and Poland as part of a leaders exchange program. As part of their coursework, every student will write a business plan together with a local organization and design their own projects. With funding from the Dutch organization, the Henri Nouwen Foundation, students will then implement their projects working with a mentor.

One group of three students will work

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KHERSON FARMERS LEAD 60:0

At least half of the 3,000 registered farmers in the Kherson region have heard of Viktor Poleshchuk. He became the first farmer in the region to privatize arid and sandy land instead of fertile chornozem land. While chornozem is a much more valued commodity, for Poleshchuk sandy land was sufficed for grazing cattle, and growing watermelons and grapes.

In 2004, the local Tsyurupynsk administration denied Poleshchuk the right to privatize land that he had leased 10 years earlier under a right of continual use contract. According to local officials, who misinterpreted the law, sandy soils couldn't be privatized because they didn't belong to cultivable land. The fight for 24 hectares of sandy land of Poleshchuk's *Zelenyi Ranok* (Green Morning) farm would probably still be ongoing if it weren't for his activism and a TV program.

The TV program featured Olena Merku-

lova, manager of a USAID-supported *Free Legal Consultation and Arbitration Court* project, who was filmed with members of



Viktor Poleshchuk with his flock (Photo by H. Hopko)

the *Pryazovya* Rural Farmers and Landowners Association discussing new opportunities for protecting and defending farmers' rights. For Poleshchuk the information came as a godsend, especially since he

couldn't afford legal consultation. Intrigued with the opportunity, he decided to use the free consultation services to try to solve his longstanding problems with privatizing the sandy land.

Poleshchuk and the project lawyer wrote an appeal to the Tsyurupynsk District Court asking it to reverse the local government's decision. The court then ruled in Poleschuk's favor, forcing the Tsyurupynsk District Administration to transfer the leased land to back to him cost-free. The court's decision came as a surprise to the district government. Local authorities appealed the decision, but to no avail.

Word of Poleshchuk's success in the court spread among local farmers who increasingly began to turn to the *Pryazovya* Association to help protect their rights. From June 2004 to July 2005, the association provided more than 300 *pro bono* consultations. In addition, project lawyers conducted 17 educational seminars

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DISABLED PEOPLE FIGHT FOR THEIR RIGHTS

According to European statistics, handicapped people generally constitute from 8% to 12% of a society's population. In Ukraine, this adds up to some 3.5 mln people. General access to public buildings and places is far from equal for the physically impaired in Ukraine. One rarely sees them working, studying or shopping in the same places as the rest of the population. The physically impaired fare even worse when it comes to finding recreation or vacation destinations that meet their needs.

In Ukraine, one will rarely, if ever, see a physically challenged individual in the mountains, national parks, and for that matter at any vacation spot. Ukraine's tourist industry doesn't offer services for people with special needs. As a rule, hotels and tourist centers are not designed to accommodate this category of tourists. Even new tourist complexes or those being restored do not take into account the needs of the physically impaired. The situation is compounded by the absence of any government-sponsored program that would require equal access for such individuals at vacation destinations.

The situation in western Ukraine was



no different from the rest of the country before *Green Cross*, a Lviv-based CSO, decided to address this problem and bring Ukrainian laws on access for the physically impaired in line with European standards. With USAID support, the CSO initiated a project to secure the right to an active vacation for Ukraine's physically impaired.

To learn more about what is needed to ensure the physically challenged an enjoyable and active vacation, *Green Cross* organized two integrative camps. Twenty wheelchaired, 40 hearing- and 30 visually-impaired individuals participated in several trips to the Carpathians Mountains to explore and evaluate their accessibility to

tourist venues. Based on the trip, they drafted recommendations to make those tourists sites "impaired user-friendly." Four PSAs were filmed during the trips, and through an aggressive PR campaign, the issue gained nationwide attention.

After this the project conducted six roundtables, where representatives of local and regional governments, CSOs, and the tourist industry worked to resolve the problems associated with equal access to tourist services.

The project also made recommendations to hotels and tourist centers on how to work with physically impaired tourists. It printed and distributed a manual for tourist industry representatives titled, "Active Vacationing and Tourism for the Physically Challenged," which promotes full-fledged vacations for various types of physically impaired individuals.

The project culminated in an international conference in May 2005, attended by tourist agency, government and business representatives. The conference proposed amendments to existing legislation guaranteeing equal access for the physically impaired to tourist sites. Early this year, the Parliament is scheduled to review these amendments within a draft law on green tourism.

Humor as an Advocacy Tool



State communal service providers are notorious for their inefficiency and bad services. Two years ago, residents of a Luhansk high-rise building had a chance to experience incompetence first hand. Plumbing damage they sustained in their building in July 2004, still had not been fixed by December. Building residents decided to take matters into their own hands and look for a non-traditional solution. They

approached the Local Government Development Support Organization, a civic society organization known for its advocacy work on communal services issues in the Luhansk region.

Tetyana Kyrylova, manager of the USAID-supported *Our Right* project, which the CSO is implementing, was able to successfully resolve the problem with a single letter. "When traditional methods do not work, we (advocacy activists) look for innovative approaches," explained Kyrylova.

On behalf of residents, she wrote a letter inviting the mayor of Luhansk, the head of the district administration and the head of the state communal enterprise, to an unusual event.

The invitation read:

DEAR MR. MAYOR:

You are cordially invited to a celebration of the five-month anniversary of cold-water leakage into the basement of Building ¹ 14.

The celebration will convene on the night of January 13, 2005. The program includes:

- cold water dousing according to the Porfiry Ivanov's method;
- diving in the basement of Building ¹ 14;
- a freestyle swimming competition among employees of Communal Service Provider ¹ 3 to be held between the building's first and fourth entrances;
- traditional (Ukrainian) games: "Find a 1.5 meter pipe with a diameter of 50 centimeters," "Come back after tomorrow," "...The Same to You," "Shut off water to four buildings and receive no punishment";
- downstream launch of paper ships made from Building ¹ 14 residents' complaints, from the point of leakage in the basement to the Velyka Verhunka river;
- award ceremony: Diploma of Achievement to Mr. Tolstyykh, head of the Communal Service Provider ¹ 3, for firmness and courage while resisting residents' complaints.

According to Tetyana Kyrylova, the day after the mayor's office received the letter, workers from the communal service provider came to fix the basement plumbing problem.

NGO DEGREE PROGRAM

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for the NGO *Netoptana Stezhyna* ("Unbeaten Path") to organize a theater festival for the handicapped, where people with disabilities will be both viewers and actors. The project also includes a series of art therapy trainings, social events and activities aimed to raise awareness about the needs and potential of the physically impaired. Another group of INPM students will work with the NGO *Doroha* ("Way"), which helps recovering alcohol and drug addicts return to society. Students will organize a special weekend, which will include training for recovering addicts and members of their families on overcoming difficulties associated with rehabilitation after they return home from a medical care facility.

The first group of students recently completed their first semester. In the near future this more inclusive graduating class (NGO managers from Lviv, Kyiv, Zaporizhzhia, Dnipropetrovsk, Odesa, Ivano-Frankivsk, and Uzhhorod), armed with the skills gained through the program, will go on to effectively manage their organizations, whether civic, religious or political, and help them to be more sustainable.

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YOUTH COUNCIL TAKES PART IN ODESA CITY POLICYMAKING

Young people in Odesa are much like young people everywhere: they study; they work; they play sports; they hang out with their friends. But unlike most young people elsewhere, many young people in Odesa also now have a hand in determining their future and even the future of their city. They are playing a very active role in local decision-making thanks to the Odesa Youth Council, initiated by the local civil society organization (CSO) *Our*

and public service announcements, held press-conferences, and published articles and a manual on public participation in local-level decision making. It has also conducted trainings on how to lobby for the Odesa city planning and budget process.

In 2005, the Odesa City Council adopted the *Young Community Concept for 2005-2015*. Now, the City Council must first discuss any decisions it plans to make on youth issues with the Youth Council. The



Children.

The Youth Council was formed in 2004, and its members are students, who are democratically elected by their peers. Close to 100,000 students cast secret ballots at polling stations to elect the current 240-member council from over 900 young candidates registered. The Youth Council has become a forum for young people to discuss and solve problems that are important to them, and a lobbying group for youth interests. "Together, we can accomplish anything!" is their motto.

Our Children has helped the Youth Council advocate for youth issues and get the word out about their activities. With a USAID-supported Eurasia Foundation grant, the CSO has produced TV programs

Youth Council has also drafted a city program called "Young Community," which was adopted in part by the Odesa City Council and funded from the Odesa city budget. A class on local self-governance has been introduced into public schools.

Thanks to the Youth Council's advocacy, the Odesa City Council now listens more than ever to what young people have to say before acting on their behalf. This kind of active involvement is essential for groups whose voices often remain unheard.

"When youth is given a voice in decisions that concern them, they can help themselves live better lives. Everything that young people can solve for themselves should be in their hands," said Vadim Georgienko, founder of *Our Children*.

PRYAZOVYA DEFENDS FARMERS' RIGHTS

POLISHCHUK, continued from p.2 throughout the Kherson Region. As a result, over 60 property disputes were resolved in court, with the majority being reviewed in the Court of Appeals. Most notably, not a single case was lost in court.

"We were able to achieve several project goals. We showed Kherson farmers that problems can be resolved through the court system. Polishchuk's case confirmed that

the privatization of arid and sandy land is legal, and now, neither the local or district administrations can deny farmers the right to privatize such lands. Thanks to the project, farmers have learned to solve other problems applying existing legislation. Merkulova added that "government representatives learned that interfering with farmers' work is not in their interests," which may be the most important outcome of all.

ACTIVE CITIZENRY

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innovative CSO law course and widely used legal hotlines.

In addition, signs of a more widespread movement toward greater professionalism and sustainability have continued to emerge with surveys showing an increasing number of CSOs creating governing bodies, producing annual reports, writing fundraising plans, and broadening their funding bases. UCAN beneficiaries in particular have made notable progress in this area with levels of domestic funding increasing from 21% to 39.6% among 2004 grantees.

Because CSOs play a critical role in providing a means for citizens to address concerns, effect change, and advocate for their needs, it is crucial that the third sector is an active participant in defining the future of the country.

You can find more information on USAID-supported CSO development activities at www.ucan-isc.org.ua or by contacting the UCAN office at :

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WHAT ARE CIVIL SOCIETY ORGANIZATIONS DOING FOR UKRAINE?

Strengthening policy making: The growth of CSOs and think tank organizations is increasing the expertise available to government, and contributing to better informed and effective policy making.

Increasing citizen involvement: When citizens are involved in addressing issues in partnership with their government, they feel a stronger connection to that government. This connection and active involvement acts as a stabilizing force, and it shows Ukrainian citizens and the international community that the country is a flourishing democracy responsive to its people.

Building civic responsibility: In areas of Ukraine with an active citizenry and strong government-CSO relationships, people not only look to their governments to solve problems but also feel a sense of responsibility to help their representatives find the solutions.

Providing efficient services: At the local level, governments are contracting with CSOs to help address constituent problems and provide high-quality, cost-effective services for their citizens.